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E-FILED - 1/29/09

Counsel for Petitioner DENNIS RAY BARNETT

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

| | | |
|------------------------------|---|--------------------------|
| DENNIS RAY BARNETT, |) | No. C 08-01604 RMW |
| |) | |
| Petitioner, |) | STIPULATION AND [] |
| v. |) | ORDER EXTENDING BRIEFING |
| |) | SCHEDULE ON RESPONDENT'S |
| |) | MOTION TO DISMISS |
| MIKE KNOWLES, Warden, et al. |) | |
| |) | |
| Respondents. |) | |
| _____ |) | |

STIPULATION

The parties hereby stipulate and agree that the currently set briefing schedule on the respondent's motion to dismiss may be extended to allow petitioner to file his opposition to respondent's motion on or before April 6, 2009. The purpose of this request is to allow counsel time to obtain petitioner's inmate file and related medical and mental health records. The parties further agree that respondent's optional reply brief may be filed on or before May 6, 2009.

Dated: January 14, 2009

/s/
GREGORY A. OTT
Deputy Attorney General

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3 Dated: January 14, 2009

4 s/_____
CYNTHIA C. LIE
5 Assistant Federal Public Defender
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7 **[] ORDER**

8 Good cause appearing and by stipulation of the parties, it is hereby ordered that the
9 currently set briefing schedule on the respondent's motion to dismiss be extended to allow
10 petitioner to file his opposition on or before April 6, 2009, with respondent's reply brief, if any,
11 to be filed on or before May 6, 2009.

12 Dated: January 29, 2009

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14 RONALD M. WHYTE
United States District Judge
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